

INTERIM MEASURES REPORT

**BISCAYNE NATIONAL PARK BUFFER
DEVELOPMENT REVIEW COMMITTEE**

DECEMBER 2001

SECTION 1 - BACKGROUND

Miami-Dade County Comprehensive Development Master Plan (CDMP), Land Use Policy 3E, provides that an integrated land use and water management plan shall be prepared for southeastern Miami-Dade County. The plan is commonly referred to as the "South Dade Watershed Plan." The objectives of the plan are to protect Biscayne National Park's environmental, economic and community values; protect private property rights of area landowners; support a viable balanced south Miami-Dade economy that includes agriculture, recreation, tourism, and urban development; and assure compatible land use and zoning decisions consistent with a sustainable south Miami-Dade. Land Use Policy 3E also provides that if implementation of the Watershed Plan is not initiated by January 1, 2002, the Board of County Commissioners shall adopt interim measures to further the objectives of the Plan, based upon recommendations by the Biscayne National Park Buffer Development Review Committee.

The Board of County Commissioners adopted Ordinance No. 01-111 on June 19, 2001, which provides authority for the Biscayne National Park Buffer Development Review Committee (the Committee) to recommend interim measures. The ordinance stipulates that initial recommendations be issued by October 20, 2001. The Committee held meetings on July 16th, August 20th, September 10th, September 24th and October 15th to compose the recommended interim measures. The September 10th meeting was attended by members of Community Zoning Appeals Board 15 (CZAB 15), who provided input on the work product drafted by the Committee. After accepting public comment at an advertised hearing held on October 29, 2001, the Committee finalized its Initial Recommended Interim Measures. County staff then suggested revisions to clarify and refine the initial recommendations. The Committee approved the Interim Measures Report at its regularly scheduled meeting of December 17, 2001 and requested that the report be forwarded to the Board of County Commissioners along with implementing legislation.

SECTION 2 – ISSUES AND OBJECTIVES

Through its deliberations, the Committee identified the following overarching, long range issues and objectives that it believes should be addressed by the South Dade Watershed Plan Advisory Committee.

- Miami-Dade County should better define and provide guidance on impacts of proposed development on private property values/rights.
- Negative impacts to environmentally sensitive lands (i.e. pine rocklands) and protected species should be prevented.

- Existing wetlands should be maintained for water quality, stormwater retention, prevention of saltwater intrusion and wellfield protection .
- Feasible alternatives for implementing the Comprehensive Everglades Restoration Plan (CERP), especially the Biscayne Bay Coastal Wetlands Element, should not be foreclosed.
- Adverse impacts to Biscayne National Park’s view sheds and soundscapes should be prevented.

SECTION 3 – RECOMMENDED ACTIONS

The Committee recommends that actions be taken to implement the following measures until the Watershed Plan is adopted, in fulfillment of the legislative intent and purpose stated in Section 2-115.11, Code of Miami-Dade County, for County Boards to apply heightened scrutiny to any requests for development approvals in the Review Area until the South Dade Watershed Plan is approved.

- 1) Applicants for uses other than those permitted as of right in the applicable Comprehensive Development Master Plan designation and by the existing zoning should be required to demonstrate that the proposed use is a public necessity, or is in the public interest and that no suitable site for the use exists outside of the Review Area
- 2) For each application involving a telecommunications tower, the County shall provide its appropriate advisory boards with an independent technical analysis addressing the items listed below.
 - a. Provide a regional map showing the location of existing and permitted telecommunication towers;
 - b. Provide available data or conduct a study on the impact of existing towers on birds, in areas comparable to the Review Area;
 - c. Document that co-location opportunities have been utilized to the maximum extent feasible;
 - d. Document that existing public structures have been utilized to the maximum extent feasible;
 - e. Document that already developed public lands have been considered for siting new transmitters;
 - f. Document that design aesthetics have been incorporated

- 3) The County and its appropriate advisory boards shall defer or deny actions on applications for telecommunications towers until sufficient information, including items a - f listed above, is provided.
- 4) The Board of County Commissioners should amend the County Code as necessary to authorize the Department of Environmental Resources Management (DERM) to broadly address the full range of environmental considerations when issuing advisory reports to zoning and planning agencies and boards that are considering development proposals in the Review Area. These reports should describe, at a minimum: (1) environmental impacts of the proposed development on both living and nonliving resources, including impacts on upland, wetland, and aquatic habitats, and (2) all issued and pending Miami-Dade County environmental permits associated with the proposed development.
- 5) As permitting information becomes available to DERM, County staff from DERM and the Department of Planning and Zoning should coordinate reports on all issued and pending state and federal environmental permits associated with a specific, pending development proposal in the Review Area. These reports should be presented by representatives of the permitting agencies, including the South Florida Water Management District, the Florida Department of Environmental Protection, and the U.S. Army Corps of Engineers, at public meetings conducted by the Committee, and/or submitted in writing prior to public meetings.
- 6) The Board of County Commissioners should request that the South Florida Water Management District immediately implement their public outreach program for the Biscayne Bay Coastal Wetlands Element of CERP, in order to involve potentially affected property owners in the early conceptual stages of this project.
- 7) Copies of this report shall be provided to Community Zoning Appeals Board 15 and the Agricultural Practices Study Advisory Board for their information.